

**TOWN OF SILT**  
**REGULAR PLANNING AND ZONING COMMISSION MEETING**  
**June 6, 2023 – 6:30 P.M.**  
**HYBRID MEETING**

The Silt Planning and Zoning Commission held their regularly scheduled meeting on Tuesday, June 6, 2023. Chair Williams called the meeting to order at 6:38 p.m.

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<b>Roll call</b>	Present	Chair Lindsey Williams Vice-Chair Joelle Dorsey Commissioner Robert Doty Commissioner Michael Bertaux Commissioner Jennifer Stepisnik
	Absent	Commissioner Charlienna Chancey Commissioner Eddie Aragon

Also present were Planner Mark Chain (Via Zoom) and Community Development Manager Nicole Centeno.

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**Pledge of Allegiance**

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**Public Comments** – There were no public comments.

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**Consent Agenda**

1. Minutes of the May 2, 2023 Planning & Zoning Commission meeting.

**Commissioner Bertaux made a motion to approve the consent agenda as presented. Commissioner Stepisnik seconded the motion, and the motion carried unanimously.**

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**Conflicts of Interest** – There were no conflicts of interest.

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**Agenda Changes** – There were no agenda changes.

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**Public Hearing – 511 N. 5<sup>th</sup> Street – Minor Subdivision Sketch Plan**

Planner Chain introduced this project. He noted that the property was for a lot split in the Ballard addition which was one of the first annexation/additions to the old Townsite. The historic lots in the Ballard Addition run east-west and this was an application to split the property with a new north-south property line. The property did not meet the criteria for dissolution of a lot line or a boundary adjustment as it was adding an additional lot.

Chain noted that the property was 11,500 ft.<sup>2</sup> in size and it currently had a single-family detached house in the northwest quadrant of the property. The property has access to the east

off of North 5<sup>th</sup> Street and South off of Orchard Avenue. There is also an alley located to the west but the alley does not function as an alley, even though it is platted. Chain noted that the property was zoned R-2, and there was no proposal to change the zoning. The application was to create a new lot for future development. It is noted as "Neighborhood Residential" in the Comprehensive Plan.

Chain explained that utilities were available and access was acceptable. He did note that at the southeast corner of the project there was a PVC riser and Town Staff/Public Works did not know if this was for a domestic well, some type of drainage or even irrigation. He said he had asked the property representative to investigate but had not been informed as at this time, of all details. Chain also noted that there was a fence that encroached into the 5<sup>th</sup> Street right-of-way a total of 10 or 12 feet. It did not appear to raise any problems but Chain said that it should have a type of license agreement. Chain noted the findings and recommended approval with conditions. He stated that there were three conditions of approval noted in the staff report but additional conditions should be added regarding findings for the PVC riser mechanism at the southeast corner of the property.

At that time there were no comments or questions from the Commission. Mike Sorensen was present as the applicant's representative. The owner, Bruce Coates, appeared via Zoom. Mr. Sorensen said that staff report covered most of the issues fairly well. He did state that he did a search on the records of the Division of Water Resources. He said he found evidence of 6 domestic wells within 600 feet; five of which he thinks are Garfield County monitoring wells. He noted that he had spoken to the owner and that he didn't know anything about the riser or what it was used for. It was noted that the property was purchased in 2016.

Chairman Williams open the public hearing at 6:55 PM, Rebecca Ferry stepped to the podium. She lives at 521 N. 5<sup>th</sup> Street. She said she had been living there for 33 years and is concerned about what this application would bring to the area. She is concerned about additional traffic, whether it be from a single-family house, duplex etc. She said right now it is a nice quiet neighborhood and may not be so in the future. She said that the tenant on the property had blocked off the alley. She's also concerned about possible impacts to the view for her property.

Thomas Brueggeman stated that he lives at 530 N. 5th Street and has been living in the neighborhood for 50 years. He says that the present tenant has a mechanic shop going and that the house on site has **drainage** problems. He indicated that there was mold in the existing structure and that the riser was a well to pull water out of the building. He noted that it is always been a single-family dwelling but now is being operated as a duplex. He said the owner doesn't give a damn and he didn't want to see another unit built on the property; he was not happy with the situation and that the alley was also blocked off.

Sharon also lives at the same address as Mr. Brueggeman. She said that the tenant was definitely working as a mechanic and that the riser was used for the existing house. She said one of the renters told her that the smell was terrible. Said it appears that the drainage problem is being covered up.

Tod Tibbits identified himself that he lives at 439 Orchard Avenue. He said that an adjacent property used the alley for access and parking but that now that was blocked off. He also noted that he did not get a copy of the public hearing notice. He said he thought that the mechanic shop was operating out of the property and the property had not been taken care of for weeks. They are irrigating the property during the day, in violation of town ordinance. He said it was definitely rented out as a duplex.

Peggy living at 439 Orchard Ave. also, said that the present structure did not have a legal apartment. She said she had talked to the person who rented the lower level and that they shared a bathroom with the upstairs tenant. She noted that that PVC riser was some type of some system that drains under the street into the ditch.

Vice-Chair Dorsey asked the property representative if the applicant wanted to make comments. Bruce Coates said that he had nothing to say at this point and that all questions would be better handled by Mr. Sorensen. Mr. Sorensen said he had not had much contact with the tenant and was not sure if activity on site was being caused by the tenant or someone else. Chair Williams close the hearing at 7:12 PM.

Commissioner Doty thinks those members of the public who had comments related to the application. There were questions whether some of the concerns related to zoning activities had been made to the police. Manager Centeno said she was not aware that any formal complaints had been filed. Commissioner Bertaux said he was not sure precisely what to do regarding the zoning complaints at this time. Actions in front of the Planning Commission were related to division of the property.

Commissioner Dorsey said at this time the complaints were more of a civil issue. There were questions from the public but Commissioner Dorsey asked the members of the public to be respectful of the Commission's ability to have discussions at this time. There are some questions about the sheds and the fact that they were nonconforming regarding setbacks.

Commissioner Williams said she echoed some of the concerns of the Planning Commission, related to zoning complaints and stated that there needs to be some follow-up done. Commissioner Bertaux made a motion to approve the Minor subdivision sketch plan application with staff conditions. There was no second the motion and the motion was withdrawn.

Commissioner Dorsey asked Mr. Sorensen for some more background on the property. Mr. Sorensen said that he and his wife were real estate agents, helping the owner subdivide the property. While he is a surveyor, he did not perform the survey for this application. The owner separately contracted for that survey. The owner, Bruce Coates, said that he was deferring to Mr. Sorensen as he knew the vernacular for the land-use application. He said he would be doing things to make the situation better and that he was going to prepare a plan for cleanup of the site.

There was some more discussion among the Planning Commission. Commissioner Bertaux made a motion to continue the public hearing until the next planning commission meeting, July 5. Second by Vice Chair Dorsey; the motion passed by a vote of 4 to one with Commissioner Doty voting no.

## **Planning Update**

Planner Chain gave a verbal update on the following matters:

Rislende Food Truck and Special Events. The applicants were refining the safety plan with Colorado Fire and Rescue for emergency access.

Camario. The subdivision documents have been recorded and the owners will be starting installation of the infrastructure in the very near future.

Church Annexation. It was noted that the church at the north end of 1<sup>st</sup> Street would be applying for an annexation to add an adjacent parcel to their ownership and wanted included within the town limits.

Lot 1 Village at Painted Pastures. There been a request to extend the site plan approval for this property.

Water Treatment Plant. Manager Centeno indicated that some more accurate engineering cost estimates were being provided as part of the review for the project.

Pedestrian Bridge. It was explained that a grand had been obtained to help finish the design drawings for this project.

**Commissioner Comments**


Commissioner Stepisnik asked about the benefit of the annexation related to the Church. Planner Chain said that they wish to expand their property and that the adjacent neighbor to the west, who was a member of the church, supported that proposal and was willing to transfer a portion of their property to the Church.


**Adjournment**

**The meeting adjourned at 7:55 PM.**

Respectfully submitted,

Approved by the Planning Commission

  
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Mark Chain  
Planner

  
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Lindsey Williams  
Chair